

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application, and for indicating that claims 2-5 and 7 are allowed.

Disposition of Claims

Claims 1-9 are currently pending in the present application. Claims 1, 2, 3, and 7 are independent. Claims 6 and 8-9 depend, either directly or indirectly, from claim 1, and claims 4-5 depend from claim 3.

Claim Amendments

Claims 1 has been amended by way of this reply. Claim 1 has been amended to more precisely recite the present invention. Support for the amendments to claim 1 can be found, for example, in Figures 2 and 6(a)-(c), and paragraphs [0077]-[0078] and [0085]-[0088]. No new matter has been added by the amendments.

Rejections Under 35 U.S.C. § 102

Claim 1 of the present application was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,628,882 (“Vaganov”). Claim 1 has been amended by way of this reply. To the extent that the rejection may still apply to the amended claim, the rejection is respectfully traversed.

Claim 1 as amended requires, in part, “the actuator moves an entirety of the at least one light reflection surface linearly along a direction orthogonal to a light axis of the light

emitted from the first optical transmission channel, relative to at least one of the first optical transmission channel and the second optical transmission channel.”

Vaganov discloses a variable optical attenuator with a mirror 24 that is rotatable by a mirror actuator 26 about axes perpendicular to the optical axis. Although, as the Examiner asserts, points on the mirror 24 may move in a curved line along a plane perpendicular to the optical axis, *the entirety* of the at least one light reflection surface fails to move linearly along a direction orthogonal to a light axis, as now required by the claim. Thus, Vaganov clearly fails to show or suggest at least the above limitations.

In view of the above, claim 1 is patentable over Vaganov, at least for the above reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 6, 8, and 9 of the present application were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vaganov. Claim 1, from which claims 6, 8, and 9 depend, has been amended by way of this reply. To the extent that the rejection may still apply, the rejection is respectfully traversed.


As explained above, claim 1 is patentable over Vaganov. Claims 6, 8, and 9 are dependent from claim 1. Thus, claims 6, 8, and 9 are patentable over Vaganov, at least for the same reasons as claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places the present application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-0591, under Order No. 15115/147001 from which the undersigned is authorized to draw.

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Respectfully submitted,

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